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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

Veronique GUILLOU, et al

SERIAL NO.: 09/901,907

FILED: July 11, 2001

FOR: A TOPICAL CLEANSING COMPOSITION

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: GROUP ART UNIT: 1619

: EXAMINER: G. Yu

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COPY

DECLARATION 37 C.F.R. 1.132

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

SIR:

Now comes Veronique Guilou who declares and states that:

1) I am one of the inventors of the above-identified application.

2) In 1966 I received the engineer degree from ENS Chemistry School in Montpellier France.

3) Since 1991 I have been employed by L'Oreal as a researcher engaged in the study of cleansing products.

4) I have read the specification of the application and the outstanding Official Action from the U. S. Patent Office.

5) That in order to demonstrate the selective importance to the present invention of formulating a surfactant composition using only, as the cationic polymer ingredient, a cationic polymer which is devoid of saccharide units, the following comparative experiments are presented.

Two clear homogeneous gels were prepared from the ingredients shown in the table below, one of which contains the cationic polymer identified as Polyquaternium-7, which is a cationic ~~surfactant~~ <sup>polymer</sup> which is devoid of saccharide units, while the other composition contains Polyquaternium-10, which is a cationic polymer which contains saccharide groups.

Composition Components	Comp. Example using Polyquaternium-10	Example using Polyquaternium-7
Lauryl phosphate (1)	3.35 A.M.	6.5 A.M.
Decyl-glucoside (2)	10.5 A.M.	6.5 A.M.
Potassium hydroxide qw pH 7	0.9	1.7
PEG-120 methyl glucose diolate (3)	2	2
UCARE POLYMER JR-400 (4)	0.5 A.M.	0
MERQUAT S (5) (Polyquaternium-7)	0	0.5 % A.M.
Preservatives	qs	qs
Water	Qsp 100 %	Qsp 100 %
Appearance	Transparent, homogeneous gel	Translucent, homogeneous, thick gel
pH	7	7
Viscosity (Rheomat 180)	43 Poises Mobile 4	165 Poises Mobile 4
Rinsing	6.3	8.3

- (1) Monolauryl phosphate (comprising 75 % of monoester): MAP 20<sup>R</sup> (Kao Chem)  
 (2) (C9/11) Alkylpolyglucoside (1.4), as a 40 % solution: Mydol 10<sup>R</sup> (Kao Chem)  
 (3) Glucamate DOE-120 = Vegertal<sup>R</sup> from Amerchol  
 (4) Polyquaternium-10 = Ucare Polymer JR-400<sup>R</sup> from Amerchol (quaternary ammonium salt of hydroxyethyl cellulose with trimethylammonium 2,3-epoxypropyl chloride).  
 (5) Polyquaternium-7 = Dimethyldiallylammonium chloride/acrylamidecopolymer at 8 % in water. Merquat S<sup>R</sup> from Calgon.

6) The results in the table above show that the homogeneous gel within the scope of the present which contains polyquaternium-7 exhibits substantially superior rinsability than the comparative composition containing polyquaternium-10. The embodiment of the invention as a gel also possess a greater viscosity than the gel of the comparative example. These results are of commercial interest.

7) The undersigned petitioner declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application or any patent issuing thereon.

8) Further deponent saith not.

Date 04/16/02

Véronique Guillo